

**THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

**In Re:  
SCOTT VINCENT VAN DYKE**

§  
§

**Case No. 21-60052-CML**

**Debtor(s)**

§

**Chapter 7**

**BUILDERS WEST, INC.'S JOINDER IN CHAPTER 7  
TRUSTEE'S SECOND MOTION FOR EXTENSION OF  
TIME TO OBJECT TO DISCHARGE  
[Relates to Doc. No. 190]**

**This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.**

**Represented parties should act through their attorney.**

COMES NOW Builders West, Inc. ("Builders West"), a creditor in the above-referenced bankruptcy case (the "Case"), files this *Joinder in the Chapter 7 Trustee's Second Motion for Extension of Time to Object to Discharge* (hereinafter, the "Joinder"), and in support respectfully represents:

1. Pursuant to Federal Rule of Bankruptcy Procedure 4004(b)(1), "[o]n motion of any party in interest, after notice and hearing, the court may for cause extend the time to object to discharge the motion shall be filed before the time [to object] has expired." FED. R. BANKR. P. 4004(b)(1). In a chapter 7 case, a complaint or motion to object to discharge must be filed no later than sixty (60) days after the first date set for the 341 Meeting. FED. R. BANKR. P. 4004(a).

2. In this Case, the deadline to object to discharge has been set for July 1, 2022. Pursuant to

Trustee's *Second Motion for Extension of Time to Object to Discharge* ("Motion") [Doc. No. 190], the Trustee now requests a second extension of time to object to discharge to be extended to **August 5, 2022**. This Motion is timely as it is filed before the time to object to discharge has expired.

3. Builders West also respectfully requests that the Court enter the proposed order attached to this Joinder, so that the time fixed for filing an objection to the Debtor's discharge may be made pursuant to 11 U.S.C. § 727 **and/or § 523**, and R. Bankr. P. 4004 for the Trustee, United States Trustee, and all creditors.

**WHEREFORE**, Builders West, Inc. prays that the Court: (i) enter the proposed order attached hereto; (ii) extend the deadline to object to the Debtor's discharge to August 5, 2022, pursuant to 11 U.S.C. § 727 and § 523, and R. Bankr. P. 4004, for the Trustee, United States Trustee, and all creditors; and (iii) for any other relief Builders West is entitled to in law or equity.

Date: July 1, 2022

Respectfully submitted,

**BAIR HILTY, P.C.**

/s/ Dale R. Mellencamp  
DALE R. MELLENCAMP  
State Bar No. 13920250  
Federal Bar No. 7718  
14711 Pebble Bend Drive  
Houston, Texas 77068  
dmellencamp@bairhilty.com  
Telephone: (713)862-5599  
Facsimile: (713)868-9444

**ATTORNEY FOR BUILDERS WEST, INC.**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing has been served on all necessary parties in accordance with FRBP 2002 on this date the July 1, 2022, via CM/ECF to all parties authorized to receive electronic notice in this case.

/s/ Dale R. Mellencamp  
Dale R. Mellencamp

AmeriCredit/GM  
Financial Attn:  
Bankruptcy  
PO Box 183853  
Arlington, TX 76096-3853

Bank of America  
4909 Savarese Circle FL1-908-01-  
50 Tampa, FL 33634-2413

Big Tex Storage  
3480 Ella  
Houston, TX 77018-6136

Brendon D Singh  
Tran Singh, LLP  
2502 La Branch Street  
Houston, TX 77004-1028

Builders West Inc.  
8905 Friendship  
Houston, TX 77080-4111

Cadence/Superior  
Bank Operations  
Center  
2100 3rd Ave N  
Birmingham, AL 35203

Catherine Stone Curtis  
Pulman, Cappuccio & Pullen,  
LLP  
P.O. Box 720788  
McAllen, TX 78504-  
0788

Central Portfolio Control  
Attn: Bankruptcy  
10249 Yellow Circle Dr Ste  
200  
Minnetonka, MN 55343-9111

Citibank  
Citicorp Credit Svcs/Centralized Bk dept  
PO Box 790034  
St Louis, MO 63179-0034

City of Houston Public Works  
Attn: Effie Green  
4200 Leeland  
Houston, TX 77023-3016

ECHELON ANALYTICS  
ATTN MALINDA PISCIOTTA  
1717 MAIN STREET STE 3380  
DALLAS TX 75201-7364

Encore Bank  
Nine Greenway Plaza  
Houston, TX 77046-0905

Forest Home Plantation, LLC  
c/o Leann O. Moses  
1100 Poydras Street Ste 3100  
New Orleans, LA 70163-  
1102

Harris County et al.  
c/o John P. Dillman  
Linebarger Goggan Blair & Sampson  
LLP PO Box 3064  
Houston, TX 77253-3064

Henke, Williams & Boll, LLP  
2929 Allen Pkwy Ste 3900  
Houston, TX 77019-7125

Johns & Hebert PLLC  
f/k/a Johns & Counsel PL  
2028 East Ben White Blvd Ste  
240 Austin, TX 78741-6931

JPMORGAN CHASE BANK N A  
BANKRUPTCY MAIL INTAKE  
TEAM  
700 KANSAS LANE FLOOR 01  
MONROE LA 71203-4774

JPMorgan Chase Bank, N.A.  
s/b/m/t Chase Bank USA,  
N.A.  
c/o Robertson, Anschutz & Schneid,  
P.L. 6409 Congress Avenue Ste 100  
Boca Raton, FL 33487-2853

Libertas Funding LLC  
382 Greenwich Ave Ste  
2  
Greenwich, CT 06830-6501

Michael L. Noel  
12222 Taylorcrest  
Houston, TX 77024-4247

PHOENIX FINANCIAL SERVICES  
LLC  
PO BOX 361450  
INDIANAPOLIS IN 46236-1450

PNC BANK RETAIL LENDING  
PO BOX 94982  
CLEVELAND OH 44101-4982

Reese Baker &  
Assoc.  
950 Echo Lane Ste 300  
Houston, TX 77024-2824

Scott Vincent Van Dyke  
1515 South Boulevard  
Houston, TX 77006-6335

Susan Tran Adams  
Tran Singh LLP  
2502 La Branch Street  
Houston, TX 77004-1028

TMX FINANCE LLC  
FORMERLY TITLEMAX  
15 BULL STREET STE 200  
SAVANNAH GA 314012686

US Trustee  
Office of the US Trustee  
515 Rusk Ave Ste 3516  
Houston, TX 77002-2604

Wells Fargo Bank N.A., d/b/a Wells  
Fargo Auto  
PO Box 130000  
Raleigh, NC 27605-1000

Wells Fargo Dealer Services  
Attn: Bankruptcy  
1100 Corporate Center D  
Raleigh, NC 27607-5066